

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARTURO MOLINA,

Defendant.

)
)
)
)
)
)
)
)
)

8:05CR339

ORDER

This matter is before the court on the oral motion of defendant Arturo Molina for a continuance of trial. The motion was made during a change of plea hearing on June 8, 2006. Molina was represented by retained counsel Carlos A. Monzon, and Molina stated he had retained other counsel and did not wish to proceed on the change of plea. Molina requested additional time in which to prepare for trial with his new counsel. Molina stated he understood that the additional time granted by his motion would be excluded from the computations under the Speedy Trial Act. The oral motion was granted.

IT IS ORDERED:

1. Molina's oral motion for a continuance of the trial is granted.
2. Trial of this matter is continued **to September 19, 2006**, on Judge Laurie Smith Camp's trial docket.
- 3.. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from June 8, 2006 through September 19, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 8th day of June, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge